



2020-2021 Request for Proposal (RFP) Affordable Housing Program Guidelines

This Packet contains the following:

1. Affordable Housing Guidelines
2. Application
3. 24 CFR Part 92.205
4. 24 CFR Part 570.201 subpart C

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Program**PROGRAM DESCRIPTION**

The City of Fayetteville Economic & Community Development Department (COFE&CD) administers the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) Programs for the Department of Housing and Urban Development (HUD). HUD allocates funds by formula among eligible State and local governments to strengthen public-private partnerships for the creation of affordable housing. COFE&CD's Affordable Housing Program provides financing to developers for the acquisition and rehabilitation or new construction of rental housing for low and moderate income families. To be considered, all sponsoring entities and proposals must meet the regulations prescribed in the Community Development Block Grant Program at 24 CFR Part 570 and/or the HOME Investment Partnerships Program at 24 CFR Part 92.

Affordable Housing Program subsidies must be used for one of two purposes:

- To finance the purchase, construction and/or rehabilitation of owner-occupied housing for very low, low and moderate-income households; or
- To finance the purchase, construction and/or rehabilitation of rental housing for very low, low, and moderate-income households.

Developers may apply for a grant not to exceed \$100,000 for assistance in construction, financing, and/or infrastructure for housing development. For-profit developers may apply for a low interest loan not to exceed \$400,000 for construction and permanent financing. Generally, COFE&CD provides financing for low-interest amortized loans not to exceed a 20-year amortization period. COFE&CD will accept a first, second, or in some cases a third mortgage position. The amount loaned shall bear an annual interest rate of two percent (2%).

The purpose of this program is to expand the housing opportunities for low and moderate income families. This is accomplished through a savings in the financing cost that allows the owner to reduce rents on the units over an extended period. Developers of homeownership projects are able to pass on cost savings to the potential homebuyer and thereby keep the unit affordable. COFE&CD will decide the source of funding to be awarded based on what is most appropriate to the particular project proposed.

ELIGIBILITY REQUIREMENTS

Private builders, developers, nonprofit community groups, Community Based Development Organizations, and Community Housing Development Organizations are eligible to apply for financing. Applicants must demonstrate that they have appropriate housing development experience and sufficient financial capacity, based on the project, to undertake the development.

All eligible applicants shall be competitively and fairly considered based upon the guidelines set forth within this RFP for HOME Funding as well as their rating within the City of Fayetteville's Economic & Community Development Department's Risk Analysis Matrix which assesses the potential risks associated with prospective applicants and proposed projects.

ProgramAPPLICATION THRESHOLD REQUIREMENTS

- ☐ FOR CDBG assistance, the development's characteristics must conform to the HUD 24 CFR Part 570 and COFE&CD rules and regulations, including occupancy and rent restrictions.
- ☐ FOR HOME assistance, the development's characteristics must conform to the HUD 24 CFR Part 92 and COFE&CD rules and regulations, including occupancy and rent restrictions.
- ☐ The application is complete with the required exhibits. Applications for developments of 12 units or more must contain a market analysis, prepared by an unaffiliated third party, of comparable properties, including property descriptions, rent structures, sales prices, amenities, vacancy rates, waiting lists and other relevant data.
- ☐ Developer must submit evidence (i.e. letter from local representative) they have contacted local community and/or neighborhood organizations (if any exist) to discuss the proposed development. If available, minutes of such meeting(s) should be included with the application.
- ☐ Evidence of site control and ability to keep same for 180 days from application date.
- ☐ Evidence regarding the property's current zoning designation and what steps, if any, are in process to obtain proper zoning and/or site plan approval for the proposed development. Application must contain minutes of any public hearing on zoning considerations.
- ☐ The application must contain enough financial information including letters of interest or financing commitments to assess the probability of economic feasibility.
- ☐ COFE&CD staff must make a determination that the proposal meets a need as identified in the City of Fayetteville Consolidated Plan.
- ☐ Developer must have a satisfactory compliance record on existing developments funded by COFE&CD and/or other federal, state or locally funded projects.
- The per unit cost of CDBG and HOME developments shall not exceed HUD's 221(d)(3) limits for elevator-type projects, adjusted to reflect cost increases of construction costs since their adoption in 1992, and further adjusted by HUD's high cost factor to reflect differences in different geographic areas.

Upon satisfying application threshold requirements, an application will be considered according to the guidelines set forth herein.

Program**1. GENERAL INFORMATION (TOTAL 40 PTS)****NONPROFITS/COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (CHDOs)**
(10 PTS)

CHDOs are a specific type of nonprofit organization defined exclusively under the HOME program. CHDOs are organized and structured according to strict standards as established by HUD. A portion of HOME funds is set-aside for CHDOs. For a CHDO to receive a set-aside it must be the developer, sponsor, or owner of the HOME assisted development and have effective management control of the development. CHDOs must meet certain requirements pertaining to their legal status, organizational structure, and capacity and experience. Specific requirements can be obtained from the COFE&CD office.

Ten (10) points will be awarded to projects owned, developed, or sponsored by a CHDO or other nonprofit organization.

OUTREACH TO MINORITY AND WOMEN OWNED BUSINESSES (TOTAL 10 PTS)

City of Fayetteville requires the maximum utilization of minority and women-owned businesses in all COFE&CD assisted housing development projects with a goal of at least 25% minority business enterprise (MBE) participation and 5% women's business enterprise (WBE) participation taken as a percentage of the total development cost of the project, excluding acquisition. All recipients of COFE&CD funds will be required to keep records of participation by minority and women-owned businesses. Demonstration of these efforts includes, but is not limited to the following:

- Qualified minority and women's businesses will be on bid solicitation lists and will be solicited whenever they are a potential source of material or services.
- When economically feasible the developer will divide total contract requirements into small tasks or quantities to permit maximum minority and women-owned business participation.
- If any subcontracts are let, the prime contractor will be required to take affirmative steps such as those described in paragraphs 1 & 2.

The MBE/WBE contractors must be identified in the application and proper reporting as indicated by the COFE&CD Compliance Officer will be required.

A maximum of ten points will be awarded to projects owned, developed, or sponsored by an MBE (5 pts.) and/or a WBE (5 pts.).

NONPROFIT DETERMINATION

Documentation must be provided with the application to support the nonprofit determination.

Provide a copy of the contract/agreement between the developer/owner and the nonprofit organization to document that the nonprofit organization will be involved in the operations of the project on a regular, continuous, and substantial basis.

PAST RESIDENTIAL PROJECTS COMPLETED (TOTAL 10 PTS)

The developer must list residential projects completed or placed into service within the last five years.

- 1 to 5 projects (5 pts.)
- 6 + projects (10 pts.)

Program**PAST RESIDENTIAL PROJECTS COMPLETED THAT ARE OF THE TYPE FOR WHICH FUNDS ARE REQUESTED (TOTAL 10 PTS)**

The developer must list residential projects completed or placed into service within the last five years that are of the same type for which funds are requested.

- 1 to 5 projects (5 pts.)
- 6 + projects (10 pts.)
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2. DEVELOPMENT TEAM INFORMATION – See application**LIST DEVELOPMENT TEAM****TRACK RECORD OF PRIME CONTRACTOR****TRACK RECORD OF ARCHITECT****3. DEVELOPMENT PLAN INFORMATION (TOTAL 20 PTS)****LOCAL CONSISTENCY REQUIREMENTS**

Each development will be evaluated to ensure it is consistent with local needs. The evaluation will review whether the development fills a demonstrated need in the local market as evidenced by:

Consistency with the City of Fayetteville Consolidated Plan, including but not limited to the priorities listed in the Consolidated Plan:

- Affordable housing for large low-moderate income households
- Affordable housing for small low-moderate income households
- Affordable housing for special populations (i.e. HIV/AIDS, disabled, elderly)
- Developments in socially and economically challenged areas

Market analysis which reflects a need for the housing and that the development will be competitive in the local market.

Research by City of Fayetteville or secondary data from other research on housing needs in the area which identify a need for the type of housing proposed.

- Federal and State designated Empowerment Communities and Enterprise Zones.
- Designated redevelopment areas or areas in which residential redevelopment activities are currently in process.

ELIGIBLE PROPERTIES

Only units receiving CDBG monies are considered "CDBG Assisted Units" and only units receiving HOME monies are considered "HOME Assisted Units." CDBG and/or HOME rental developments may be:

- one or more buildings on a single site that are under common ownership, management and financing,

— OR —

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- Scattered on more than one site as long as the sites are within 4 blocks of each other, are under common ownership, management and financing, and receive CDBG and/or HOME assistance as part of a single undertaking.

INELIGIBLE PROPERTIES

- CDBG or HOME funds may not be used to assist developments assisted under Title VI of the National Affordable Housing Act (NAHA) — Prepayment of Mortgages Insured under the National Housing Act.

PROPERTY STANDARDS

All developments to be funded with CDBG and/or HOME funds must at the time of completion, at a minimum, comply with all local building codes, rehabilitation standards, ordinances, zoning and federal regulations regarding hazardous materials as well as energy standards required by HUD 24 CFR 570 and/or 24 CFR 92. The goal is to provide "decent, safe and sanitary" housing at an affordable cost to lower income families. Beyond these minimum standards COFE&CD encourages developments built with the same quality and amenities as market rate developments within the same market area. Energy standards required:

- Substantial rehabilitation — cost-effective energy conservation and effectiveness standards in 24 CFR Part 39.
- New construction — Model Energy Code, 1992, published by the Council of American Building Officials.

ACCESSIBILITY

Developments financed with CDBG and/or HOME funds must meet the accessibility requirements in the regulations referenced in 24 CFR 5.105(a) which implement the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973. Developments of five or more units are required to have a minimum of one unit or 5% of total units accessible to the physically handicapped and an additional 2% of total units equipped for those with hearing or visual impairments.

4. SITE EVALUATION (TOTAL 30 PTS)GENERAL SITE REQUIREMENTS

- Sites must be sized to accommodate the number and type of units proposed. Required zoning must be in place within 90 days of application approval, including any special use permits, traffic studies, conditional use permits and other land use requirements.
- The applicant or a Principal must have site control at the time of application submission, which may be evidenced by a valid option, contract, or warranty deed.
- Utilities (water, sewer, and electricity) must be available with adequate capacity to serve the site. Site should be accessed directly by existing paved, publicly maintained roads. If not, it will be the applicant's responsibility to extend utilities and roads to the site. In such cases, the applicant must explain and budget for such work through, for example, language in the real estate option/contract, separate contract or consent by the city or town.

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- Proposed construction must not be located within 100-year floodplain. Proposed construction includes driveways, parking areas, playgrounds, community/building/office, residential buildings, maintenance buildings, refuse collection areas, laundry rooms, main collection areas, or any other permanent structure or fixture.

Site scores will be based on the following factors:

NEIGHBORHOOD CHARACTERISTICS (15 PTS)

- Trend and direction of real estate development and area economic health
- Physical condition of buildings and improvements
- Suitability of surrounding development
- Land use pattern is primarily residential (single and multifamily) with a balance of other uses (particularly retail and amenities)
- Availability, quality and proximity of important amenities and features: public park, library, hospital, community/senior center, basketball/tennis courts, fitness/nature trails, public swimming pool, restaurants, bank/credit union, medical offices, professional services, movie theater, video rental, public safety (fire/police)

SITE SUITABILITY (15 PTS)

- Effect of industrial, large-scale institutional or other incompatible uses: wastewater treatment facilities, high traffic corridors, junkyards, prisons, landfills, large swamps, distribution facilities, frequently used railroad tracks, power transmission lines and towers, factories or similar operations, sources of excessive noise, and sites with environmental concerns (such as odors or pollution)
- Amount and character of vacant, undeveloped land
- Adequate traffic controls (stop light, turn lanes, etc.)
- Burden on public facilities (particularly roads)
- Access of mass transit (if applicable)
- Degree of on-site negative features and physical barriers that will impede projection construction or adversely affect future tenants/homeowners, for example: power transmission lines and towers, flood hazards, steep slopes, large boulders, ravine, year-round streams, wetlands, and other similar features [for adaptive re-use projects, suitability for residential use and difficulties posed by the building(s), such as limited parking, environmental problems or the need for excessive demolition]
- Similarity of scale and aesthetics/architecture between project and surroundings
- Concentration of affordable housing

5. DEVELOPMENT RENTS/AFFORDABILITY (TOTAL 30 PTS)**CDBG Program**

Not less than 51% of rental units rehabilitated with CDBG assistance must have rents that do not exceed 30% of the annual income of a family whose income equals 80% of area median income minus tenant paid utilities.

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In new construction multi-family rental housing developments, not less than 20% of CDBG assisted units must have rents that do not exceed 30% of the annual income of a family whose income equals 80% of area median income minus tenant paid utilities. In new construction multi-family developments where 20% to 50% of the units have low-moderate income affordable rents, the percentage of CDBG assistance to the total project development cost can be no greater than the percentage of low-moderate income affordable units to the total number of units in the development.

However, if the unit receives Federal or State project-based rental subsidy and the very low income family pays a contribution toward rent not more than 30% of the family's adjusted income, then the maximum rent (i.e., tenant contribution plus project-based rental subsidy) is the rent allowable under the Federal or State project-based rental subsidy program.

Twenty (20) points will be awarded for projects in which 100% of qualified units will be affordable to households with incomes at or below 50% of the area median income adjusted for family size.

Ten (10) points will be awarded for projects in which 10% of qualified units will be affordable to households with incomes at or below 30% of the area median income adjusted for family size.

Ten (10) points will be awarded for projects in which at least 50% of qualified units will be affordable to households with incomes at or below 50% of the area median income adjusted for family size with the remaining units being affordable to households at or below 60% of the area median income adjusted for family size.

Homeownership projects targeting households whose incomes are at or below 60% of the median will receive 20 points. Affordability of the unit will be determined based on sales price of the unit. A qualified appraiser must establish sales price.

TENANT INCOMES UPON OCCUPANCY OF CDBG ASSISTED UNITS

Not less than 51% of rental units rehabilitated with CDBG assistance must be occupied by tenants who at initial occupancy have annual incomes that are 80% or less of the area median income adjusted for household size.

In new construction multi-family rental housing developments, not less than 20% of CDBG assisted units must be occupied by tenants who at initial occupancy have annual incomes that are 80% or less of the area median income adjusted for household size. In new construction multi-family developments where 20% to 50% of the units are occupied by tenants who at initial occupancy have annual incomes that are 80% or less of the area median income adjusted for household size, the percentage of CDBG assistance to the total project development cost can be no greater than the percentage of units occupied by tenants who at initial occupancy have annual incomes that are 80% or less of the area median income adjusted for household size to the total number of units in the development.

INITIAL INCOME ELIGIBILITY OF CDBG TENANTS

CDBG uses the same definitions of annual income as the Section 8 Housing Programs. Section 8 definitions are found in 24 CFR Part 813. Annual income is the gross amount of income anticipated to be received by all adults in a family during the twelve months following the effective date of the determination.

HOME Program

Rental units in HOME assisted developments must have rents that do not exceed the lesser of:

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- Section 8 Fair Market Rents (FMRs) minus tenant paid utilities

OR

- 30% of the annual income of a family whose income equals 65% of area median income minus tenant paid utilities.

In addition, for developments of 5 units or more, not less than 20% of HOME assisted units must be occupied by very low income families and have rents that do not exceed the lesser of:

- Section 8 Fair Market Rents (FMRs) minus tenant paid utilities

OR

- 30% of the annual income of a family whose income equals 50% of area median income minus tenant paid utilities.

However, if the unit receives Federal or State project-based rental subsidy and the very low income family pays a contribution toward rent not more than 30% of the family's adjusted income, then the maximum rent (i.e., tenant contribution plus project-based rental subsidy) is the rent allowable under the Federal or State project-based rental subsidy program.

Twenty (20) points will be awarded for projects in which 100% of qualified units will be affordable to households with incomes at or below 50% of the area median income adjusted for family size.

Ten (10) points will be awarded for projects in which at least 50% of qualified units will be affordable to households with incomes at or below 50% of the area median income adjusted for family size with the remaining units being affordable to households at or below 60% of the area median income adjusted for family size.

Homeownership projects in which 80% of the targeted households have incomes at or below 60% of the median will receive 20 points. Affordability of the unit will be determined based on sales price of the unit. A qualified appraiser must establish sales price.

MINIMUM AFFORDABILITY PERIOD OF HOME ASSISTED UNITS

Units to be rehabilitated with HOME funds must be tenant income and rent controlled for varying lengths of time depending upon the average amount of HOME funds invested per unit:

Rehabilitation or Acquisition of Existing Housing Per Unit Amount of HOME Funds	Minimum Period of Affordability in Years
Under \$15,000	5
\$15,000 to \$40,000	10
Over \$40,000 or rehabilitation involving refinancing	15

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HOME assisted units that are newly constructed or acquired newly constructed are required to have an affordability period of not less than 20 years.

TENANT INCOMES UPON OCCUPANCY OF HOME ASSISTED UNITS

Not less than 90% of HOME assisted rental units must be occupied by tenants who at initial occupancy have annual incomes that are 60% or less of the area median income adjusted for household size. The remaining HOME assisted rental units must be occupied by tenants who at initial occupancy have annual incomes that are 80% or less of the area median income adjusted for family size.

INITIAL INCOME ELIGIBILITY OF HOME TENANTS

HOME uses the same definitions of annual income as the Section 8 Housing Programs. Section 8 definitions are found in 24 CFR Part 813. Annual income is the gross amount of income anticipated to be received by all adults in a family during the twelve months following the effective date of the determination.

6. RELOCATION INFORMATION

All developments financed with CDBG and/or HOME funds must comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, implementing regulations at 49 CFR Part 24 and the requirements of 24 CFR 570.606 and/or 24 CFR 92.353.

7. AFFIRMATIVE MARKETING PLAN (TOTAL 5 PTS)

All developments of 5 units or more financed with CDBG and/or HOME funds are required to submit an Affirmative Fair Housing Marketing Plan that outlines methods for providing information and otherwise attracting eligible persons in the housing market area to the available housing without regard to race, color, national origin, sex, sexual orientation, religion, familial status or disability. (The affirmative marketing procedures do not apply to families with Section 8 tenant-based rental housing assistance or families with tenant-based rental assistance provided with HOME funds.)

The Affirmative Fair Housing Marketing Plan must include methods for informing the public, owners, and potential tenants about Federal fair housing laws and the City's affirmative marketing policy (e.g., the use of the Equal Housing Opportunity logotype or slogan in press releases and solicitations and display of fair housing poster); procedures to be used by owners to inform and solicit applications from persons in the housing market area who are not likely to apply for the housing unit without special outreach (e.g., use of community organizations, places of worship, employment centers, fair housing groups, or housing counseling agencies); and records that will be kept describing actions taken by the owner to affirmatively market units.

8. SUPPORTIVE SERVICES INFORMATION

See application.

9. DEVELOPMENT SCHEDULE

See application.

10. PROJECT FINANCIALS (TOTAL 15 PTS)

Program

Project financials must include:

1. development budget
2. unit mix and rents
3. operating budget
4. financing sources
5. cash flow proforma (for term of loan)

EQUITY INVESTMENT (5 PTS.)

Projects in which the owner provides a minimum 5% equity investment will receive five points.

REPAYMENT SCHEDULE (10 PTS.)

Projects in which repayment of principal and interest begins immediately after loan closing will receive ten points.

Projects in which payments are interest-only beginning immediately after closing with principal deferred for a maximum of five years will receive five points.

DEVELOPER FEE STANDARD

The maximum developer's fee is to be no more than 15% of the total project cost less the developer's fee.

PROJECT CONTINGENCY FUNDING

All new construction projects shall have a hard cost contingency line item of NO LESS OR NO MORE THAN 3% of total hard costs, including general requirements, builder profit and overhead. Renovation projects shall include a hard cost contingency line item of NO LESS OR NO MORE THAN 6% of total hard costs.

11. OTHER APPLICABLE STANDARDS, REQUIREMENTS AND REGULATIONSNONDISCRIMINATION AGAINST RENTAL ASSISTANCE SUBSIDY HOLDERS

The owner cannot refuse to lease CDBG or HOME assisted units to a certificate or voucher holder under 24 CFR Part 982 — Section 8 Tenant-Based Assistance: Unified Rule for Tenant-Based Assistance under the Section 8 Rental Certificate Program and the Section 8 Rental Voucher Program or to the holder of a comparable document evidencing participation in a HOME tenant-based rental assistance program because of the status of the prospective tenant as a holder of such certificate, voucher, or comparable HOME tenant-based assistance document.

LOAN CLOSING REQUIREMENTS

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All rental developments financed with COFE&CD funds must budget for, and must fund, a Replacement Reserve Account, and Operating Reserve Account. COFE&CD reserves the right to require additional reserves should it be determined to be necessary.

The general contractor of CDBG and/or HOME financed developments is required to assure completion of the project by either:

pledging cash or a letter of credit for 25% of the construction contract.

Developers of developments financed with COFE&CD funds will be required to obtain a title policy written by a title company licensed to do business in North Carolina.

MANAGEMENT AND MAINTENANCE SERVICE STANDARDS

All developments financed in whole or in part with COFE&CD funds must provide management and maintenance services to the housing provided. This includes compliance with all local, state and federal regulations. The developer will be required to submit a Management Plan and Agreement for review and approval prior to the issuance of a Firm Commitment.

PREVAILING WAGE REQUIREMENT

Developments of 8 units or more financed with CDBG funds and developments of 12 units or more financed with HOME funds are required to pay wages to laborers and mechanics employed in the construction at a rate not less than the prevailing wage rates for corresponding classes of laborers and mechanics employed on construction of a similar character as determined by the Secretary of Labor.

ENVIRONMENTAL REVIEW

COFE&CD requires a site specific environmental screening of all development proposals being considered for financing. At a minimum before initial loan closing, COFE&CD will require a Phase I Environmental Site Assessment or Phase I Environmental Review, according to, but not limited to, standards developed by the American Society for Testing and Materials.

COFE&CD requires all aspects of the development for which it provides financing to be in compliance with all federal, state and local regulations, laws and required practices. Therefore, requirements for hazardous materials, such as lead-based paint and asbestos, environmentally safe practices, such as clean water procedures or wetlands, culturally significant procedures, such as historic considerations; and safe work practices, will be specifically included among COFE&CD requirements.

All commitments for funding are made subject to final environmental clearance by COFE&CD and HUD.

a) ANNUAL RE-CERTIFICATION

COFE&CD developments may be audited each year for the following compliance:

- ☐ Re-certification of tenant income
- ☐ Review of rent and utility allowances
- ☐ Compliance with local building codes
 - Annually for developments of more than 25 units
 - bi-annually for developments with one to 24 units

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- ☐ The owner's Written Agreements including Affirmative Fair Housing Marketing Plan and Management Plan and Agreement.

COFE&CD will provide a copy of the annual re-certification procedure at the time the development is approved or thereafter.

12. CERTIFICATION

In accordance with the Housing and Community Development Act and the Community Development Block Grant Program Rule at 24 CFR Part 570, and in accordance with the Home Investment Partnership Act and the Home Investment Partnership Program Rule at 24 CFR 92.150, the City of Fayetteville Economic & Community Development Department certifies that:

- Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that COFE&CD has adopted for this purpose and will not invest any more CDBG and/or HOME funds in combination with other Federal assistance than is necessary to provide affordable housing.
- COFE&CD and its recipients/subrecipients will use CDBG and HOME funds pursuant to the City of Fayetteville Consolidated Plan approved by HUD and in accordance with all requirements of 24 CFR Parts 570 and 92.
- COFE&CD will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, implementing regulations at 49 CFR Part 24 and the requirements of 24 CFR Parts 570.606 and 92.353.
- To the best of its knowledge and belief: no federal appropriated funds have been paid or will be paid, by or on behalf of COFE&CD, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement; if any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal loan or agreement, COFE&CD will complete and submit Standard Form—LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and COFE&CD will require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

The information presented should not be construed as a complete list of the regulations and requirements governing COFE&CD financing through the Affordable Housing Program. Upon filing an application, you acknowledge that you assume all risks of change in COFE&CD's rules and regulations or policies concerning this program, together with any adverse effects upon you there from and any resulting costs thereof.